

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL LETTER TO THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US) CONCERNING A SUBMISSION UNDER 35 U.S.C. 371		ATTORNEY'S DOCKET NUMBER SHZ-028US
INTERNATIONAL APPLICATION NO. PCT/JP2004/011307		INTERNATIONAL FILING DATE 30 July 2004
U.S. APPLICATION NO. (if known, see 37 CFR 1.5) 10/566593		PRIORITY DATE CLAIMED 31 July 2003
TITLE OF INVENTION GENES THAT CONFER REGENERATION ABILITY TO PLANTS, AND USES THEREOF		
APPLICANT(S) FOR DO/EO/US Asuka NISHIMURA <i>et al.</i>		
Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:		
1. <input type="checkbox"/> This is a FIRST submission of items concerning a submission under 35 U.S.C. 371. 2. <input checked="" type="checkbox"/> This is a SECOND or SUBSEQUENT submission of items concerning a submission under 35 U.S.C. 371. 3. <input type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below. 4. <input type="checkbox"/> The US has been elected (Article 31). 5. <input type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c)(2)) a. <input type="checkbox"/> is attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> has been communicated by the International Bureau. c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US). 6. <input type="checkbox"/> An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)). a. <input type="checkbox"/> is attached hereto. b. <input type="checkbox"/> has been previously submitted under 35 U.S.C. 154(d)(4). 7. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3)) a. <input type="checkbox"/> are attached hereto (required only if not communicated by the International Bureau). b. <input type="checkbox"/> have been communicated by the International Bureau. c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired. d. <input type="checkbox"/> have not been made and will not be made. 8. <input type="checkbox"/> An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)). 9. <input checked="" type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). 10. <input type="checkbox"/> An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).		
Items 11 to 20 below concern document(s) or information included:		
11. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98. 12. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included. 13. <input type="checkbox"/> A preliminary amendment. 14. <input type="checkbox"/> An Application Data Sheet under 37 CFR 1.76. 15. <input type="checkbox"/> A substitute specification. 16. <input type="checkbox"/> A power of attorney and/or change of address letter. 17. <input type="checkbox"/> A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 37 CFR 1.821 – 1.825. 18. <input type="checkbox"/> A second copy of the published International Application under 35 U.S.C. 154(d)(4). 19. <input type="checkbox"/> A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).		

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)
10/566593

INTERNATIONAL APPLICATION NO.
PCT/JP2004/011307

ATTORNEY'S DOCKET NUMBER
SHZ-028US

20. ☒ Other items or information: Notice of Missing Requirements
English translation of U.S.S.N. 60/491,837
Executed Verification of Translation
Return Receipt Postcard

The following fees have been submitted

21.	<div style="border: 1px solid black; width: 20px; height: 20px; display: flex; align-items: center; justify-content: center;"> </div>	Basic national fee (37 CFR 1.492(a))	\$300
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CALCULATIONS

PTO USE ONLY

22. ☐ Examination fee (37 CFR 1.492(c))

If the written opinion prepared by ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4).....	\$0
All other situations	\$200

\$

23. ☐ Search fee (37 CFR 1.492(b))

If the written opinion of the ISA/US or the international preliminary examination report prepared by IPEA/US indicates all claims satisfy provisions of PCT Article 33(1)-(4)	\$0
Search fee (37 CFR 1.445(a)(2)) has been paid on the international application to the USPTO as an International Searching Authority	\$100
International Search Report prepared by an ISA other than the US and provided to the Office or previously communicated to the US by the IB	\$400
All other situations	\$500

\$

TOTAL OF 21, 22 and 23 =

\$	0.00
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☐ Additional fee for specification and drawings filed in paper over 100 sheets (excluding sequence listing in compliance with 37 CFR 1.821(c) or (e) or computer program listing in an electronic medium) (37 CFR 1.492(j)).
The fee is **\$250** for each additional 50 sheets of paper or fraction thereof.

Total Sheets	Extra Sheets	Number of each additional 50 or fraction thereof (round up to a whole number)	RATE
- 100 =	/50 =		x \$250.00

\$

Surcharge of \$130 for furnishing any of the search fee, examination fee, or the oath or declaration after the date of commencement of the national stage (37 CFR 1.492(h)).

\$

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE
Total claims	=		x
Independent claims	=		x
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ 36

TOTAL OF ABOVE CALCULATIONS =

	\$
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☐ Applicant claims small entity status. See 37 CFR 1.27. Fees above are reduced by 1/2.

SUBTOTAL =

\$

Processing fee of **\$130.00** for furnishing the English translation later than 30 months from the earliest claimed priority date (37 CFR 1.492(i)).

\$

TOTAL NATIONAL FEE =

\$

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

\$

\$

TOTAL FEES ENCLOSED =

	\$
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Amount to be refunded:

\$

Amount to be charged	
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\$

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

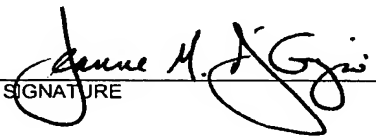
- a. ☐ A check in the amount of \$ _____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayment to Deposit Account No. 12-0080. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. **Credit card information should not be included on this form.** Provide credit card information and authorization on PTO-2038

NOTE: Where an appropriate time limit under 37 CFR 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the International Application to pending status.

SEND ALL CORRESPONDENCE TO:

Elizabeth A. Hanley
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
(617) 227-7400

CUSTOMER NUMBER: 00959


SIGNATURE

Jeanne M. DiGiorgio
NAME

41,710
REGISTRATION NUMBER

Docket No.: SHZ-028US
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:
Asuka Nishimura *et al.*

Application No.: 10/566593

Confirmation No.: 3574

Filing Date of
International Application: July 30, 2004

Art Unit: N/A

For: GENES THAT CONFER REGENERATION
ABILITY TO PLANTS, AND USES THEREOF

Examiner: Not Yet Assigned

**RESPONSE TO NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C.
371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE**

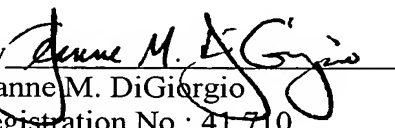
MS PCT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

In response to the Notification of Missing Requirements Under 35 U.S.C. 371, mailed June 21, 2006, Applicants respectfully submit a Declaration, Petition and Power of Attorney, a copy of the Notification of Missing Requirements, an English translation of U.S.S.N. 60/491,837, and the executed Verification of Translation.

Dated: August 17, 2006

Respectfully submitted,

By 
Jeanne M. DiGiorgio
Registration No.: 41,710
LAHIVE & COCKFIELD, LLP
28 State Street
Boston, Massachusetts 02109
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(617) 742-4214 (Fax)
Attorney/Agent For Applicant



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

U.S. APPLICATION NUMBER NO.	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
10/566,593	Asuka Nishimura	SHZ-028US

00959
LAHIVE & COCKFIELD
28 STATE STREET
BOSTON, MA 02109

INTERNATIONAL APPLICATION NO.

PCT/JP04/11307

I.A. FILING DATE	PRIORITY DATE
07/30/2004	07/31/2003

DOCKETED

Aug. 21, 2006 - Missing Req.

Jan. 21, 2007 - Esp w/ 5 MOS EXT

CONFIRMATION NO. 3574

371 FORMALITIES LETTER



OC000000019351132

Date Mailed: 06/21/2006

NOTIFICATION OF MISSING REQUIREMENTS UNDER 35 U.S.C. 371 IN THE UNITED STATES DESIGNATED/ELECTED OFFICE (DO/EO/US)

The following items have been submitted by the applicant or the IB to the United States Patent and Trademark Office as a Designated / Elected Office (37 CFR 1.495).

- Copy of the International Application filed on 01/31/2006
- English Translation of the IA filed on 01/31/2006
- Copy of the International Search Report filed on 01/31/2006
- Preliminary Amendments filed on 01/31/2006
- Biochemical Sequence Diskette filed on 01/31/2006
- Biochemical Sequence Listing filed on 01/31/2006
- U.S. Basic National Fees filed on 01/31/2006
- Priority Documents filed on 01/31/2006

The following items **MUST** be furnished within the period set forth below in order to complete the requirements for acceptance under 35 U.S.C. 371:

- Oath or declaration of the inventors, in compliance with 37 CFR 1.497(a) and (b), identifying the application by the International application number and international filing date.

ALL OF THE ITEMS SET FORTH ABOVE MUST BE SUBMITTED WITHIN TWO (2) MONTHS FROM THE DATE OF THIS NOTICE OR BY 32 MONTHS FROM THE PRIORITY DATE FOR THE APPLICATION, WHICHEVER IS LATER. FAILURE TO PROPERLY RESPOND WILL RESULT IN ABANDONMENT.

The time period set above may be extended by filing a petition and fee for extension of time under the provisions of 37 CFR 1.136(a).

Applicant is reminded that any communications to the United States Patent and Trademark Office must be mailed to the address given in the heading and include the U.S. application no. shown above (37 CFR 1.51).

A copy of this notice **MUST** be returned with the response.

ENTERED	RECEIVED
LAHIVE & COCKFIELD	DOCKET DEPT.
JUN 23 2006	
RETRIEVED	7/1 JMB
FORWARDED	

SHAKEEL AHMED

Telephone: (703) 308-9140 EXT 208

PART 1 - ATTORNEY/APPLICANT COPY

U.S. APPLICATION NUMBER NO.	INTERNATIONAL APPLICATION NO.	ATTY. DOCKET NO.
10/566,593	PCT/JP04/11307	SHZ-028US

FORM PCT/DO/EO/905 (371 Formalities Notice)